REMARKS

Claims 1-40 were pending in the application. Claims 1, 2, 5, 8-12, 14, 15, 18, 21-25, 27, 28, 31, 34, 35, 37, 38, and 40 have been amended to further clarify the nature of the claimed invention. Claims 3, 4, 16, 17, 29, and 30 have been cancelled. Accordingly, claims 1, 2, 5-15, 18-28, and 31-40 are pending in the application.

35 U.S.C. § 112 REJECTIONS

Applicant has amended claim 11 to overcome the 35 U.S.C. § 112 rejections.

35 U.S.C. § 102(e) REJECTIONS

Claims 1-7, 9-20, 22-33 and 35-40 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Elderton et.al. (U.S. Patent No. 6,477,572) hereinafter referred to as Elderton. Applicant respectfully traverses these rejections and requests reconsideration in view of the following discussion.

Elderton is generally directed to generating a visual display of a network. In particular, Elderton discloses a method for graphically displaying the topology of a network in order to assist a system administrator in planning and managing the network. Based upon such a display, a system administrator may make decisions as to how software may be deployed in the network. In contrast, Applicant's claimed invention is generally directed to a method and mechanism for actually deploying components of an application for processing in a distributed computing system. In view of these distinctions, the clarifying amendments, and the discussion below, Applicant believes there are patentable distinctions between the claims and the cited art.

As amended, claim 1 now reads:

"In a computer system, a method comprising:

generating one or more actors on a server, wherein each actor is a functional
component of a distributed application;

linking said actors in a first hierarchical tree;

generating a dataset corresponding to a second hierarchical tree, wherein the
second hierarchical tree is a subset of the first hierarchical tree;

sending said dataset to a client; and

replicating the second hierarchical tree in said client using said dataset."

In the present Office Action, it is suggested in paragraph 6 that Elderton teaches all of the features of prior claim 1. In particular, it is stated that Elderton teaches a method comprising, in part:

obtaining one or more server actors (Elderton, ME, Figure 1, and Figures 9 and 10),

generating a client actor tree representation corresponding to a subset of said server
actors (column 1, lines 34-50),

sending said actor tree representation to said client (column 2, lines 9-19), and

creating a member hierarchical tree in said client using said actor tree representation
(column 2, lines 9-39).

However, as described below, Applicant submits claim 1 recites features which are not taught or suggested by the cited art. For example, as noted above, amended claim 1 now recites "generating one or more actors on a server, wherein each actor is a functional component of a distributed application." Applicant submits these features are wholly absent from the cited art. With respect to prior claim 1, Elderton is cited as teaching "obtaining one or more server actors" by (i) disclosing a Management Environment (ME), and (ii) by the disclosure of Figs. 1, 9, and 10. The ME disclosed by Elderton merely refers to the nodes (i.e., the physical entities) of the computing environment which may be managed. Fig. 1 of Elderton depicts nodes in a managed region of the ME. Each of Fig. 9 and Fig. 10 illustrate a graphical depiction on a display device of such nodes. Applicant submits that neither Elderton's machines nor icons/symbols that appear in the graphical representation of the machines is equivalent to an "actor on a server, wherein each actor is a functional component of a distributed application." Further, the graphical representation of a machine in the form of an icon or symbol is not equivalent to a functional component of a

distributed application. Accordingly, Applicant submits none of these or other disclosures of Elderton teach "generating one or more actors on a server, wherein each actor is a functional component of a distributed application."

In addition to the above, amended claim 1 recites:

> "linking said actors in a first hierarchical tree;
> generating a dataset corresponding to a second hierarchical tree, wherein the
> second hierarchical tree is a subset of the first hierarchical tree."

Therefore, the previously recited actors, which are functional components of a distributed application, are linked in a first hierarchical tree. In contrast, Elderton merely describes linking symbols to form a graphical depiction of a network. For example, Elderton states:

> "It is known in the art to generate and display a graphical representation or "map" of the various network objects or object types that comprise such a managed environment. Typically, a submap (namely, a given portion of the overall network topology map) displays a set of symbols and connections. The symbols depict various network objects, e.g., servers, managed nodes, gateways, endpoints, repeaters, and the like, located within a managed region or across a set of managed regions. At a high level, an initial map of the managed environment (with multiple managed regions and their respective managed resources) might well show over 250 symbols and connections per server. The processing of the information necessary to display such a topology map is quite CPU intensive and, thus, the map itself takes several minutes to render, even on a relatively high-powered workstation. Moreover, the large amount of densely displayed information makes the map difficult to read and interpret." (Elderton, col. 1, lines 34-50). (emphasis added).

As seen from the above, Elderton merely teaches that a set of symbols and connections may be displayed. However, symbols are not equivalent to the recited generated actors on a server which are functional components of a distributed application.

Finally, claim 1 further recites:

> "sending said dataset to a client; and
> replicating the second hierarchical tree in said client using said dataset."

Applicant submits these features are wholly absent from the cited art. Rather, Elderton discloses:

> "A method for displaying a network topology begins by presenting a user a set of attributes for network objects in the network. The user the selects a given attribute and an attribute value. A mapper routine of the invention then builds a topology map that includes at least one icon representing network objects that have the user-selected attribute value for the attribute. . . .
>
> According to another aspect of the invention, a display method is executable in a computer system having a processor and a display device. Preferably, the method is implemented in software. In particular, the method comprises steps executable in the processor for compiling information about the computer network and then displaying a network topology map with a plurality of icons. A given icon in the network topology map represents a set of network objects grouped according to a user-selected attribute value. The icon preferably includes a numeric, textual or graphical representation to indicate the number objects represented by the icon. A 3-dimensional icon may also be used to represent the grouping." (Elderton, col. 2, lines 9-39).

In addition, Elderton's mapper routine is part of a "network manager [that] may be configured and controlled from any desktop in a given management region (MR), e.g., using a Web browser interface." (Elderton, column 5, lines 34-37).

Therefore, Elderton discloses gathering and displaying information about a network. In addition, Elderton discloses a graphical representation of the network may be displayed at any endpoint of the network for the purpose of enabling configuration and control of the network manager. In contrast, Applicant's claim 1 as amended recites a method further comprising:

> "generating a dataset corresponding to a second hierarchical tree, wherein the second hierarchical tree is a subset of the first hierarchical tree; sending said dataset to a client; and **replicating the second hierarchical tree in said client using said dataset.**"

Applicant finds no teaching or suggestion in Elderton of *replicating the second hierarchical tree in said client using said dataset,* namely, in Elderton, servers, gateway

machines, and workstations. More specifically, Applicant finds no teaching or suggestion in Elderton of "replicating the second hierarchical tree in said client using said dataset" as recited in Applicants amended claim 1. As discussed above, Elderton is merely directed to visual depictions of a network. As such, the recited "replication" is not disclosed by Elderton.

Accordingly, all of the claim limitations of amended claim 1 are not taught or suggested by the cited prior art. Therefore, claim 1 is patentably distinguishable over the cited art. Further, because claims 14, 27, and 40 include similar features to that of claim 1, claims 14, 27, and 40 are patentable over the cited art for similar reasons.

As each of dependent claims 2, 5-13, 15, 18-26, 28,and 31-39 as amended include at least the features of the independent claims and intervening dependent claims upon which they depend, each of dependent claims 2, 5-13, 15, 18-26, 28,and 31-39 is believed patentable as well and further traversal of the Examiner's comments concerning dependent claims 2-13, 15-26, and 28-3 is believed unnecessary at this time.

35 U.S.C. § 103(a) REJECTIONS

In addition to the above, claims 8, 21, and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Elderton in view of U.S. Patent No. 5,369,707 ("Follendore"). In view of the above discussion, Applicant submits each of the pending claims recite features which are neither taught nor suggested by Elderton or Follendore, either singly or in combination. Accordingly, a prima facie case of obviousness is not established.

Applicant believes all pending claims are in condition for allowance. Should the examiner believe there are issues remaining which would prevent allowance of the present application, the below signed representative requests the examiner telephone the representative at (512)853-8866 in order to facilitate a speedy resolution.

CONCLUSION

In light of the foregoing remarks, the Applicant submits that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505\6000-05100\RDR

Respectfully submitted,

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